UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/079,640	05/15/1998	HENRY DANIELL	922.6588P	8567

29847	7590	08/12/2005

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EXAMINER
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ART UNIT	PAPER NUMBER
1638	

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.

EXAMINER

ART UNIT	PAPER

080505

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The reply filed on 20 May 2005 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

The amendment filed 20 May 2005 does not comply with 37 CFR 1.121(c) because it does not identify newly deleted material, and because it underlines already present material. In claim 200, the comma after "188" should not be underlined, because this comma was already added in the last amendment. In claim 214, line 8, there should be an extra comma after "sequence", because the previous amendment of 07 September 2004 introduced an extra comma there. If Applicant wishes to delete the extra comma, it should be presented within double brackets. See 37 CFR 1.111.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Furthermore, the Application should be reviewed for errors. Errors appear, for example, in claim 194, lines 3-4, where "of the chloroplast genome" is recited twice. Errors also appear in claim 214, last four lines, where the recitation of "*and wherein said* vector *comprising* a heterologous nucleotide sequence coding for a selectable marker phenotype *whereby* double homologous recombination in the target plant chloroplast genome is facilitated" (emphasis added), which is awkward.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David T. Fox whose telephone number is 571-272-0795. The examiner can normally be reached on Monday through Friday from 10:30AM to 7:00PM.
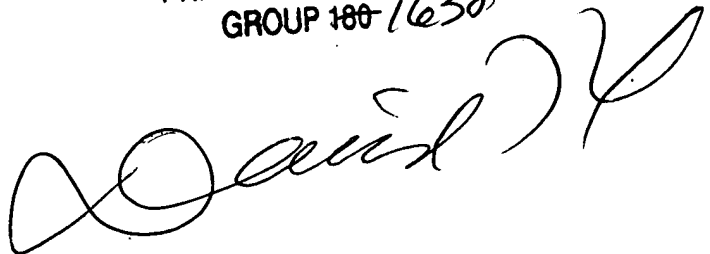
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Jones, can be reached on 571-272-0745. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

August 5, 2005

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